

In the United States Patent and Trademark Office

Applicant: R. Kevin Shirk

Title: "Improved Gate Assembly"

Docket No.
RKS1-B14

Declaration in lieu of Oath, 37 CFR 1.68

I, R. Kevin Shirk, of Corona, CA, am a citizen of U.S.A. and I declare that I believe that I am the first, original and sole inventor of the subject matter which is claimed and for which a patent is sought on the invention described in a specification attached hereto and titled: "Improved Gate Assembly."

I have reviewed and I understand the contents of the above-identified specification and claims. I acknowledge a duty to disclose information which is material to the examination of this application in accordance with 37 CFR 1.56(a).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under 18 USC 1001, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

I hereby authorize registered USPTO attorney #40,186, Mr. Karl M. Steins to represent all matters regarding this application and any issuing patent or patents. All correspondence should be directed to:

| | | |
|-------------------------|--|--|
| Send Correspondence to: | Karl M. Steins Steins & Associates 7770 Regents Road #258 <i>6</i> San Diego, CA 92122 <i>6</i> | Direct Telephone Calls to: Karl M. Steins <i>6</i> (619) 546-4844 <i>692-2004</i> |
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Date

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Verified Statement Claiming Small Entity Status (37 CFR 1.9(f) & 1.27(b)) -- Independent Inventor

As the below named inventor, I hereby declare that I qualify as an independent inventor as defined in 37 CFR 1.9(c) for purposes of paying reduced fees to the Patent and Trademark Office described in the application identified above.

I have not assigned, granted, conveyed or licensed and am under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

I have not assigned, granted, conveyed, or licensed nor am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention.

I acknowledge the duty to file, in this application, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

9/18/03

Date



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